

**REMARKS**

In the present Amendment, the specification has been amended to delete a hyperlink. Claim 33 has been amended to recite “[a] polymerisation process for forming polymer conjugates of biologically active compounds in which ...” and “wherein, in the living radical polymerization process, the group  $Y^1$  is removed to form a radical on the carbon atom to which it is linked in the initiator compound.” Section 112 support for the amendments is found, for example, at page 1, lines 1-4; page 5, lines 17-18; and page 6, line 9 of the specification. Claim 34 has been amended to recite that  $OR^{43}$  is selected from the group consisting of an alkoxy of from 1 to 20 carbon atoms, an aryloxy and a heterocycloxy, having a biological active substituent; and Y is  $Y^1$ . Section 112 support for the amendment is found, for example, in the definition for  $R^{13}$  at page 5, lines 13-16 of the specification. Claim 68 has been amended to recite that  $W^+$  is selected from the group consisting of  $-W^1-N^+R^3$ ,  $-W^1-P^+R^4$ ,  $-W^1-S^+R^4$  and  $-W^1-Het^+$  and that Het is a nitrogen-, phosphorus- or sulphur-containing aromatic ring. No new matter has been added, and entry of the Amendment is respectfully requested.

Claims 33-78 are pending, of which Claims 38-40, 56-63, 65, 66 and 71-78 are withdrawn from consideration.

The disclosure has been objected to because it contains an embedded hyperlink.

As noted, the hyperlink has been deleted. Withdrawal of the objection to the specification is respectfully requested.

Claims [1,] 33-37, 41-55, 64 and 67-70 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner contends that the recitation “forming a compound which is a conjugate of a polymer and a biologically active moiety” in Claim 33 does not describe what product is formed and Applicant is suggested to name the product.

As noted, Claim 33 has been amended to address the Examiner’s concern. Withdrawal of the § 112 rejection, first paragraph, is respectfully requested.

Claims 33-37, 41-55, 64 and 67-70 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

1. The Examiner considers it is unclear how the substituted biological moiety initiates the polymerization and conjugates to the polymer.

Applicant submits that it is the initiator with biological active group which initiates the *radical polymerization* and conjugates to the polymer, as shown, for example, in Examples 1-8 of the specification. As indicated in Claim 33 as amended, and as is readily apparent to one skilled in the art, the group Y<sup>1</sup> is removed to form a radical on the carbon atom to which it is linked in the initiator compound, the ethylenically unsaturated monomers then polymerise by radical polymerization.

As to the term “conjugate,” where it is used as a noun, that is naming the product compound; for instance, in the Claim 33 preamble, it means a compound comprising two components joined to each other. As an adjective (or past participle), the phrase means that two components are joined together. Where the term is used as a verb, it refers to two reagents being joined together in the corresponding reaction, which may be an initiation reaction. The word is derived from the Latin *conjugare*, meaning to yoke together.

2. The Examiner considers Claim 34 improperly depends on Claim 33 because Claim 34 define another initiator VI while Claim 33 defines initiator V.

Applicant submits that Claim 34 properly depends on Claim 33 because the general formula VI forms a subset of compounds of general formula V. The group Y in formula VI corresponds to  $Y^1$  in formula V, the groups  $R^{41}$  and  $R^{42}$  in formula VI are subsets of the possibilities for  $R^{11}$  and  $R^{12}$  in formula V, while  $R^{13}$  in formula V is  $(C=O)OR^{43}$  in formula VI, that is  $R^{13}$  is  $-COR^{15}$ , in which  $R^{15}$  is an alkoxy, an aryloxy or a heterocyclyloxy having a substituent which is a biologically active group. Claim 34 has been amended accordingly, i.e., to recite that  $OR^{43}$  is selected from the group consisting of an alkoxy of from 1 to 20 carbon atoms, an aryloxy and a heterocyclyloxy, having a biological active substituent; and Y is  $Y^1$ .

3. The Examiner states that Claim 34 recites the dependency from Claim 33 three times and that it is unclear how Claim 34 equates  $R^{43}$  to  $R^{13}$ .

As noted in item 2 above, Claim 34 has been amended to address the Examiner's concerns.

4. The Examiner considers Claim 68 is unclear because  $W^*$  should be selected from the list of compounds and the definition of "Het" is not clear.

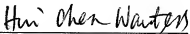
As noted, Claim 68 has been amended to address the Examiner's concerns.

In view of the above, reconsideration and withdrawal of the §112 rejection, second paragraph, are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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